

62nd LEGISLATURE—REGULAR SESSION

**PROPOSED CONSTITUTIONAL AMENDMENT—TEXAS
WATER DEVELOPMENT FUND**

S. J. R. No. 17

Proposing an amendment to Article III, Constitution of the State of Texas, by adding Section 49-d-1 to authorize the Texas Water Development Board to issue One Hundred Million Dollars (\$100,000,000) bonds to provide financial assistance in the form of loans or grants to cities or other public agencies for water quality enhancement purposes upon direction of the Texas Water Quality Board, or any successor agency designated by the Legislature; establishing an interest ceiling of 6% per annum on all bonds issued by the Texas Water Development Board; providing for the improvement and continuance of the water resources program; providing for anticipatory legislation; and providing for submission of the amendment to the voters.

Be it resolved by the Legislature of the State of Texas:

Section 1. That Article III of the Constitution of the State of Texas be amended by adding thereto a new Section 49-d-1 to read as follows:

"Section 49-d-1. (a) The Texas Water Development Board shall upon direction of the Texas Water Quality Board, or any successor agency designated by the Legislature, issue additional Texas Water Development Bonds up to an additional aggregate principal amount of One Hundred Million Dollars (\$100,000,000) to provide grants, loans, or any combination of grants and loans for water quality enhancement purposes as established by the Legislature. The Texas Water Quality Board or any successor agency designated by the Legislature may make such grants and loans to political subdivisions or bodies politic and corporate of the State of Texas, including municipal corporations, river authorities, conservation and reclamation districts, and districts created or organized or authorized to be created or organized under Article XVI, Section 59, or Article III, Section 52, of this Constitution, State agencies, and interstate agencies and compact commissions to which the State of Texas is a party, and upon such terms and conditions as the Legislature may authorize by general law. The bonds shall be issued for such terms, in such denominations, form and installments, and upon such conditions as the Legislature may authorize.

"(b) The proceeds from the sale of such bonds shall be deposited in the Texas Water Development Fund to be invested and administered as prescribed by law.

"(c) The bonds authorized in this Section 49-d-1 and all bonds authorized by Sections 49-c and 49-d of Article III shall bear interest at not more than 6% per annum and mature as the Texas Water Development Board shall prescribe, subject to the limitations as may be imposed by the Legislature.

"(d) The Texas Water Development Fund shall be used for the purposes heretofore permitted by, and subject to the limitations in Sections 49-c, 49-d and 49-d-1; provided, however, that the financial assistance may be made pursuant to the provisions of Sections 49-c, 49-d and 49-d-1 subject only to the availability of funds and without regard to the provisions in Section 49-c that such financial assistance shall terminate after December 31, 1982.

"(e) Texas Water Development Bonds are secured by the general credit of the State and shall after approval by the Attorney General, registration by the Comptroller of Public Accounts of the State of Texas,

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and delivery to the purchasers, be incontestable and shall constitute general obligations of the State of Texas under the Constitution of Texas.

"(f) Should the Legislature enact enabling laws in anticipation of the adoption of this amendment, such Acts shall not be void by reason of their anticipatory character."

Sec. 2. The foregoing constitutional amendment shall be submitted to a vote of the qualified electors of this State at an election to be held on Tuesday, May 18, 1971, at which election all ballots shall be printed to provide for voting for or against the proposition: "The constitutional amendment to authorize the issuance of One Hundred Million Dollars (\$100,000,000) bonds to provide financial assistance to cities and other public agencies for water quality enhancement purposes, providing for the improvement and continuance of the water resources program, and establishing an interest ceiling on Water Development Bonds at 6% per annum."

Adopted by the Senate on February 4, 1971: Yeas 27, Nays 4; adopted by the House on February 5, 1971: Yeas 112, Nays 8, and 1 present not voting.

Signed by the Governor February 5, 1971.

Adopted at election held on May 18, 1971.

PROPOSED CONSTITUTIONAL AMENDMENT—DUAL OFFICE-HOLDING—CONSERVATION DISTRICT DIRECTORS—EXEMPTION

S. J. R. No. 20

Proposing amendments to Sections 33 and 40, Article XVI, Constitution of the State of Texas, to exempt directors of soil and water conservation districts from prohibitions against dual office-holding and dual compensation.

Be it resolved by the Legislature of the State of Texas:

Section 1. That Section 38, Article XVI, Constitution of the State of Texas, be amended to read as follows:

"Section 38. The Accounting Officers of this State shall neither draw nor pay a warrant upon the Treasury in favor of any person for salary or compensation as agent, officer or appointee, who holds at the same time any other office or position of honor, trust, or profit, under this State, except as prescribed in this Constitution. Provided, that this restriction as to the drawing and paying of warrants upon the Treasury shall not apply to officers of the National Guard or Air National Guard of Texas, the National Guard Reserve, the Air National Guard Reserve, the Air Force Reserve, the Officers Reserve Corps of the United States, nor to enlisted men of the National Guard, the Air National Guard, the National Guard Reserve, the Air National Guard Reserve, the Air Force Reserve, and the Organized Reserve of the United States, nor to retired officers of the United States Army, Air Force, Navy, and Marine Corps, and retired warrant officers and retired enlisted men of the United States Army, Air Force, Navy, and Marine Corps, nor to Directors of Soil and Water Conservation Districts. A member of the Legislature shall not be eligible to serve as a Director of a Soil and Water Conservation District. It is further provided, until September 1, 1969, and thereafter only if